STATE OF MICHIGAN **JUDICIAL CIRCUIT - FAMILY DIVISION** **COUNTY**	**RECORD OF TRIAL/PLEA**	**CASE NO.**

1. In the matter of
   (name(s), alias(es), DOB)

2. Date	3. Name	☐ Judge ☐ Referee

PARTIES PRESENT

4. Parent	8. Attorney
5. Step parent/Guardian	9. Other
6. Minor	10. Other
7. Petitioner	11. Other

PROCEDURE/ADVICE OF RIGHTS (on reverse)

SUMMARY

12. Summary of findings and recommendations (summarize testimony if taken)

FINDINGS AND RECOMMENDATIONS/ORDERS

A ☐ trial was conducted   ☐ plea was taken   as provided by the court rules and, it appearing that the best interests of the minor and the state will be served, **IT IS RECOMMENDED/ORDERED** that the minor(s)   ☐ do(es)   ☐ do(es) not   come within the provisions of the Juvenile Code and that:

13. ☐ the petition be dismissed.
14. ☐ the matter be adjourned for   ☐ dispositional hearing.   ☐ additional testimony.
15. ☐ the next hearing is set for:
16. ☐ Other:

Date	Judge/Referee	Bar no.

CHECKLIST FOR ADVICE OF RIGHTS AND GENERAL PROCEDURE FOR PRELIMINARY HEARING

GENERAL PROCEEDINGS

1. ☐ Determined presence of proper parties.
2. ☐ Determined whether proper notice to appear was served if parent/respondent is absent.
3. ☐ Read allegations, unless waived, and explained nature of proceedings.
4. ☐ Informed juvenile/respondent of right to an attorney.
5. ☐ Advised juvenile/respondent of right to request a review of referee's findings or recommendations.
6. ☐ Inquired if minor or parent is registered member of American Indian tribe or band or if minor is eligible for membership.
7. ☐ Advised parent where additional costs or reimbursement may be assessed.

CHILD PROTECTIVE PROCEEDINGS FOR ACCEPTING PLEA

8. ☐ Determined that the plea was knowingly, understandingly, and voluntarily made.
9. ☐ Advised the respondent on the record or in a writing made part of the file that if the court accepts the plea the respondent
   ☐ will give up the rights to:
   a. trial by a judge or trial by a jury,
   b. have the petitioner prove the allegations in the petition by a preponderance of the evidence,
   c. have witnesses against the respondent appear and testify under oath at the trial,
   d. cross-examine witnesses, and
   e. have the court subpoena any witnesses the respondent believes could give testimony in the respondent's favor.
10. ☐ Advised the respondent of the consequences of the plea including that the plea can later be used to terminate parental rights.
11. ☐ Established support for a finding that the child comes within the jurisdiction of the court as prescribed in court rule.

DELINQUENCY PROCEEDINGS FOR TRIAL

12. ☐ (When counsel waived) Advised juvenile of the dangers and disadvantages of self-representation and made sure juvenile is competent to conduct the defense and is literate.
13. ☐ Advised juvenile of privilege against self incrimination, and that any statement by the juvenile may be used against the juvenile.

DELINQUENCY PROCEEDINGS FOR ACCEPTING PLEA

14. ☐ Determined that the plea is accurate, voluntary, and understanding.
15. ☐ Informed the juvenile of the name of the offense charged and the possible dispositions.
16. ☐ Informed the juvenile that if the plea is accepted, the juvenile will not have a trial of any kind and gives up the rights that would be present at trial including the right to:
   a. trial by jury,
   b. trial by the judge if the juvenile does not want trial by jury,
   c. be presumed innocent until proven guilty,
   d. have the petitioner or prosecutor prove guilt beyond a reasonable doubt,
   e. have witnesses against the juvenile appear at the trial,
   f. question the witnesses against the juvenile,
   g. have the court order any witnesses for the juvenile's defense to apear at the trial,
   h. remain silent and not have the juvenile's silence used against the juvenile, and
   i. testify at trial, if the juvenile wants to testify.
17. ☐ Confirmed any plea agreement on the record.
18. ☐ Asked the juvenile if any promises have been made beyond those in a plea agreement or whether anyone has threatened the juvenile.
19. ☐ Established support for a finding that the juvenile committed the offense as prescribed in court rule.
20. ☐ Inquired of the parent or guardian ad litem whether the parent or guardian ad litem knows of any reason why the court should not accept the plea of the juvenile. Placed any agreement or objection by the parent or guardian ad litem to the plea on the record if the parent or guardian ad litem was present.
21. ☐ Determined whether the victim was advised of the right to be present at the trial as provided by MCL 780.751 et seq.; MSA 28.1287(751) et seq. and whether proper notice of the trial date was given.